

Regular Meeting

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Waddington Town Board Meeting scheduled for May 10, 2021 at 7:00 pm was held in person by the Town Board in the Municipal Building. The public was invited to attend the meeting electronically via Zoom.

Present were: Supervisor Hammond and Councilmembers: Travis McKnight, David McBath, Scott Loomis, and Shaun Prentice.

Also Present: Carol A. Burns, Town Clerk, David Putney, Highway Superintendent, Brooke Rouse, St. Lawrence County Chamber, Bonnie Sabatini, Library Director, Kevin Liddell, Andy Henry, Matt Duvall, Jim Thew, Camden Massia-Girard, Mark Scott, Sebastian Rubin, Keley Gatzke, Tyler O, Marjorie Todd, Gavin Connors, Richard Hough, Village Trustee, Mike Zagorbely, Mayor and Tenley Amo.

Call to order: Supervisor Hammond called the meeting to order @ 7:04PM.

Supv Hammond reported that the Governor's latest regulations on COVID states that fully vaccinated people can visit indoors with other fully vaccinated people without a mask or social distancing. All Board members around the table have been fully vaccinated.

Approval of minutes: C McBath sent an email requesting corrections to the minutes. The email was read and the following passed. A motion was made by Loomis, seconded by McKnight to approve the minutes with the corrections requested. Ayes: All

Citizen's Comments:

Andy Henry spoke to the board as a representative of the Waddington Resource Center. He thanked Mr. Thew for providing a place in his building for the Center. They have had to change sponsorship. They are no longer sponsored by the Episcopal Church. They are now sponsored by St Lawrence County. He thanked the board for their support efforts, C McBath for helping them in the step by step program by picking up food bi-weekly in Malone, and C McKnight for his donation of pounds of ground beef for distribution. At their last food distribution they provided 4100 meals. This is an increase of 67%. Covid has been a challenge. The center has been able to avoid problems. They social distance, been vaccinated, and still wear masks for safety. They have completed training in food safety and anti-discrimination training. They will be running a milk voucher program with the IGA.

East Coast Watercross: Brooke Rouse reported that the safety plan looks to be in good shape. They will keep an eye on the guidelines as the time approaches. C McBath asked if there had been any response from the Fire Department or Rescue Squad. C McKnight noted that the Fire Department has it on their calendar. Brooke noted that they will be looking for volunteers to sign up to help. Supv Hammond reported that he had spoken with the Recreation Chairman. The beach was originally scheduled to open the weekend of Watercross. If need be we can pay the lifeguards to help for the weekend. Brooke noted that at this time the event will fall under public gathering outdoor limit of 500 people.

Resolution #47

Motioned by: Prentice

Seconded by: Loomis

RESOLVED, that the Waddington Town Board does hereby approve the safety plan submitted by St Lawrence County Chamber of Commerce. Ayes: All

Brooke reported that they will begin the marketing push next week.

Highway: The Board noted that the new parking lot looked nice. Supt Putney noted that the center grass island will have the new flag pole as well as lighting.

The Highway Department has been doing general maintenance on trucks and equipment and spring preventative maintenance. They have added topsoil to a couple graves at Union

Cemetery that had settled over the winter. Started parking lot at town municipal building and ran conduit for future electrical and storm sewer drainage has been set. Two trucks from Madrid helped haul stone. The new truck has arrived. Took danger trees down on McGinnis Rd and chipped tree from wind storm. There have been 2 cremations and laid out 2 headstones for installation.

Resolution #48

Motioned by: McKnight

Seconded by: Loomis

RESOLVED, that the Waddington Town Board does hereby accept (1) 2021 Mack GR64F Dump/Plow from Beam Mack Sales & Service Inc.;

BE IT FURTHER RESOLVED, that the Waddington Town Board does hereby authorize the payment of \$215,754.20 to Beam Mack Sales & Service, Inc. for above said truck. Ayes: All

Resolution #49

Motioned by: McBath

Seconded by: Prentice

BE IT RESOLVED, that the Town Board does hereby approve the form and format for the Statutory Installment Bond in the total sum of ONE HUNDRED EIGHTY-FIVE THOUSAND AND 00/100 DOLLARES (\$185,000) to be issued with respect to the Township's new fully equipped 2021 Mack Granite 64FR Allison Plow Truck as presented by Roger B. Linden, Esq., bond counsel for the Township; and be it further

RESOLVED, that such Statutory Installment Bond shall reflect the number of payments, the amounts thereof and the dates thereof as is set forth on the annexed maturity schedule prepared and presented by Roger B. Linden, Esq., and Renee Adams, Loan Specialist of the U.S. Department of Agriculture, New York Rural Development; and be it further

RESOLVED, that the Town Supervisor, as Chief Fiscal Officer of the Town of Waddington, shall duly execute such Statutory Installment Bond and all such other and related documentation necessary to effectuate such purpose; and be it further

RESOLVED, that the previous Resolution of this Board dated April 13, 2020, authorizing the issuance of such Statutory Installment Bond is in all respects affirmed and continued and the Chief Fiscal Officer shall have all the powers enumerated therein with respect to the issuance of such Statutory Installment Bond. Ayes: All

Rescue Squad: C Prentice reported that the new rig is in. They are planning for summer events coming up: BASS Masters, Watercross. They had 23 calls for the month of April.

Library: C Loomis reported that the subcommittee met on May 4th to work on the MOU. They are working on the summer reading program. They contacted Vicki MacDonald to look at the repair needed on the bricks. The library asked about the line item that is budgeted for the old town hall/library repairs. Supv Hammond noted that the last two years there has only been \$5,000 put in to the account due to more money being spent on projects at the Municipal Building. There is still money through the RVRDA grant that needs to be used at the old town hall.

The Board discussed the proposed MOU. Bonnie reported that she had made the changes that were discussed at the subcommittee meeting as well as inserted the information that the clerk needed to submit. She asked about the dates for the storm window removal. It has been suggested May 31st. Supt Putney noted he wasn't comfortable putting an actual date in there. While he plans on having it done by that time he can't guarantee it. It all depends upon when the road grinding company schedules the town etc. The library noted that this may be the last year we have to have this done by a certain time if they receive the grant for HVAC system. The air conditioners won't have to be installed in the windows.

C McKnight noted that sometimes they are also at the mercy of the companies we use. There are 2-3 places to rent a lift in the county and we have to be able to go when the road grinding company says they are ready. This is all things that can affect the timing.

C Prentice asked if they had a backup plan in place if they town can't meet the timeline.

C Putney did note that the lift will be here next week and the plan will be to get them taken care of at this time.

The board discussed reviewing the document in March every 2 years and cancellation by either party may be done with a thirty (30) day written notice.

Grants/Alternative Revenue:

RVRDA grant: The RVRDA grant application we discussed and approved last month was finalized and signed by the Supervisor after the board meeting. The completed RVRDA grant application was hand delivered to Bob Ahlfeld at SLC IDA in Canton on Friday April 16. Awards will be announced sometime in June 2021.

Iroquois property: Board members received an email from Alex on April 21 with the updated info to the land proposal document. He stated he also spoke with Jeff Farrell from NYPA regarding the access road. We have a right of way granted to the town by NYPA. We cannot convey our right of way on to private landowners. We can however do the same thing we did with the property on River Road past the beach. Because it is a town right of way, it is public access. Landowners would just utilize the public access currently provided by the town's right of way from NYPA. There was board consensus of those that replied to send this document to the planning boards for their review and comment. The Clerk reported that the local Planning Board will be meeting to review the plans submitted on Monday, May 17th @ 7PM.

Department of Defense, Defense Community Infrastructure Program: On April 20 Alex sent Carol, David Putney and I an email regarding information about the Department of Defense, Defense Community Infrastructure Program he received from "Advocate Drum", the Fort Drum Regional Liaison Organization. I forwarded this email to the entire Board on April 23. I reviewed everything sent and discussed this by phone with David Putney. My perception was that this program is geared more towards local governments situated adjacent to or very close to Fort Drum that have base housing in their communities or military members as residents in their jurisdictions. I did not see how we could tie a competitive project proposal in Waddington into "community infrastructure that is supportive of a military installation" being as far away as we are.

Federal Highway Administration (FHWA) Center for Local Aid Support On April 14, I reviewed correspondence I received from the FHWA Center for Local Aid Support related to transportation innovation – It did not apply to the town of Waddington.

HIPCAMP: There are no "HIPCAMP" sites listed on their website in St Lawrence County. (<https://www.hipcamp.com/en-US/discover/new-york>) There are 4 listed as being located in the Adirondack Park. Campers get to "rate" the campsite on the website. They describe "regions" in NY State on their website, but there is nothing about the St Lawrence River or Seaway that I could find. This might be an opportunity to market the region on their website to spur tourism in Waddington and the region? There are "host standards" that have to be met by site hosts (described at: <https://www.hipcamp.com/enUS/hoststandards>) and include: fire safety and rules; occupancy limits; guest safety warnings and rules; site hazard identification / mitigation and emergency procedures to be followed; noise; garbage; pets; etc. If the board wants to try and do this, I suggest this would be the path forward: 1- Create a subcommittee to conduct the below activities 2- Identify and mark camp site(s) to be offered; modest site development; site map 3- Draft camper policies and procedures to comply with host standards on website 4- Set camping rates 5- Define town administrative process for town re: confirming requests; receiving payments; site administration / management issues 6- Review concept with town insurance provider and town attorney 7- Board resolution to formalize an agreement and sign on with HIPCAMP to host sites.

The Board asked Jim Thew about his HIP Camp site. Jim noted that they are not quite ready with it. They asked if he would be willing to help set something up on Leishman's Point. Jim noted that the board would need a couple picnic tables and fire pits for the sites. C McKnight and C McBath said they would be willing to work on the project. Jim Thew noted he would help out.

CARES Act Stimulus funding I suggest the Town Board move now to clarify exact amounts on what we will be receiving and when (I have seen nothing in writing on any of this, maybe Alex has received notice?) and what the written rules are related to the use of this funding. Once that information is received as a board, we should consider beginning some preliminary discussions on the potential uses for this funding that is to be received by the town of Waddington.

Mayor Zagrobelny reported that Waddington is considered a non-entitlement municipality. We will receive our money directly from the State. The Town/Village has been awarded \$244,000 to be paid over 2 years. The Village portion is based on the most recent census. The Town will receive 56% or \$134,000 and the Village 44% or \$109,600. ½ in 2021 and the other ½ in 2021.

Cemeteries & Safety: C McKnight reported that Mark Scott had put a blurb in the Waddington Recorder looking for volunteers to serve on the cemetery committee. They should contact the Town Office. They asked if there had been any calls. The Clerk noted she had not received any. C McKnight will contact some people to see if he can get any interest.

Recreation: C Loomis reported that the morning recreation, reading, and beach bus will start July 5- August 13. Morning Rec & reading will be 9-12 and beach 12-3. There will be a beach bus this summer. The committee will be meeting on May 17th to discuss safety protocol for the Department of Health. He reported there are three things they are looking for: River Rd trail to be swept, dog waste containers set up, and the weeds taken care of in the water. Supt Putney noted that the Village will be getting their sweeper soon and will take care of the trail. He will put the waste containers back up. The beach caretaker is back to take care of emptying them. The Board discussed the weed situation. They will use C Loomis' drag and tractor to clean them out. C Loomis and C McBath will meet Memorial Day weekend to see how the weeds are to determine if they need to do before the watercross or just before the beach opens.

Museum: The Museum President has asked that the Board appoint Mary Hamilton to the Joint Museum Board for a five year term.

Resolution #50

Motioned by: McBath

Seconded by: Prentice

RESOLVED, that the Waddington Town Board does hereby appoint Mary Hamilton to the Joint Museum Board for a term of 5 years. Ayes: All

Gallery/Clarke House: Mark Scott reported that the gallery has done a great job with the Covid restrictions. Their exhibit by Paul Dixon has gone well. Their next exhibit will feature Tina Seabolt from June 12-July 24. Their first art class will be June 1st.

Supv Hammond reported that the Clarke House has reached their goal on the match grant for the ceiling.

Radio Tower: Supt Putney reported that the County has the funding approved but are waiting on the licensing through the Canadian Government. This could take some time.

Baildon's Update: The Clerk noted there was nothing to report. Supv Hammond reported that there was a complaint by Kathy LaForce about her neighbor across the road. There is junk and garbage all over and there are also rats. Code Enforcement has sent a letter to the owner and spoke with him on the matter. He is in the process of getting the tenant out of the house and will clean it up.

The board noted that they had passed a law to help clean up this type of problems. It should be enforced for all not on a case by case basis. If we need to clean it up then so be it. The Board should consider a budget line to cover costs and legal fees associated with a cleanup.

Generator: Supv Hammond reported that at the last meeting the board awarded the bid to Tel Corp for the installation of the generator. Since then C McKnight, Supt Putney, Casey Bill, contractor, and Mike Christie, Engineer w/Tisdel met to discuss what would need to be changed in order to have the fire department included in the installation. Casey sent back two different scenarios with a price of \$21,000 and \$23,000. The Village Board had their meeting and made the decision to not hop on to the project with the costs estimated. Supv Hammond suggested that the Board rescind the bid to allow Mike Christie, Engineer w/Tisdel to look at the current system to see what would be needed to turn it into an automated system. He also suggested that there be a joint meeting set up with the Town and Village to discuss what will be best for the Municipal Building, Fire Department, and Rescue Squad.

Conversation ensued between Councilmembers, Village Trustees, and the Mayor. There were several separate conversations but joint cooperation on the project.

C Prentice stated that Supv Hammond is looking to change the scope of the work.

A motion was made by Hammond, seconded by Loomis to rescind the award for the generator and to work with the Village to come up with a solution that will work for all. There were no other votes in favor. The resolution died.

Councilman Loomis noted that he would be in favor of suspending the contract until the boards could jointly meet and see if there is a way to make it a joint project.

A motion was made by Loomis, seconded by Hammond to suspend the contract until the town and village explore a joint project. Ayes: Hammond, Loomis, McKnight, McBath Opposed: Prentice

Supv Hammond asked the Mayor if they would like to set up a joint meeting to discuss. Mayor Zagrobelny noted that it would be best to wait until the engineer looks at the project and gives us options to discuss. Supv Hammond noted he would contact Mike Christie to see if they could get the project fast tracked.

Local Government Task Force: The Mayor reported that they are in the process of doing boring samples for the marina project. Rob Campany is doing the engineering work. They have a conference call every other Friday. They are working on preliminary planning to see what permits are needed.

Supv Hammond reported that they will be doing the Little Sucker Brook culvert project on RT 37 in early to mid-July. It will be a one lane road at times. Once this project is done the pull off will be paved as part of the work and next year the fishing pier will be replaced with an aluminum one.

Court Security Officer: Supv Hammond reported that the Town Attorney sent in his legal advice for the court security officer. It just arrived today and was sent to the Councilmembers. He asked the clerk to read the letter.

Attorney Nash noted that if the town is going to pass a local law they need to include an additional phrase entitled "when effective" along with the wording. He also spoke to the great potential liability upon the town in establishing the constable's position. Based on the documents submitted to him the Town Board will have to pass a separate resolution defining what "equipment" the constable would wear. He feels that the constable should always be in uniform. He also suggested to limit the equipment so that the constable does not wear a firearm or a taser. His feeling is that mace and a billy club are sufficient. Also if the Town establishes the position of Town Constable we will need to install a magnetometer and have someone capable of using it.

The insurance agent sent an email stating that the insurance company has reviewed the job description of the Constable that was submitted by Justice Robinson. They have stated that the Town would need to add the Police Professional Liability line. The areas of concern necessitating this were: 1). Certified Police Officer; 2). Armed, with annual firearm and use of force training; and 3). Power to arrest i.e. enforces laws. The minimum premium is \$900 annually. If the job description were revised to remove powers of arrest – particularly the line "enforcing laws" – Trident may be comfortable with the coverage already provided under the GL-214 Law Enforcement Coverage-Courts endorsement the Town already has. Trident was not concerned as much with the "armed" portion as bailiffs are often armed. It is more a jurisdictional thing – the Town of Waddington not having a Police Dept. under whose authority is he or she sworn to enforce the laws?

Justice Robinson stated that she didn't receive a copy of the letter. She noted that defendants are not accompanied by officers in the evening when court is in session ie: 7-9PM. She also cited the recent shootings in DeKalb and Watertown. There is a difference in training in unarmed and armed. An unarmed person also has limited authority in the court room. She still feels that the Town should go the route to establish the position of Town Constable even if they decide that they should be unarmed. This way the work is already done should they change their mind to have an armed officer. Potsdam hired Norwood Police Dept for their constable. She asked the board if they were concerned about not being able to do the required

paperwork. With DCJS annual reporting of all peace officers is a two week process that goes through the attorneys and once done unless the person changes you don't have to go through this process. You just need to hand in their certificate annually.

Resolution #51

Motioned by: McKnight

Seconded by: McBath

RESOLVED, that the Waddington Town Board does hereby agree to hire an unarmed licensed security guard as specified NYS Department Licensing Regulations. The position opening will be publicly posted, with hiring preference given to qualified and licensed local applicants who are residents of the Town of Waddington. The person hired will be a part time employee with no benefits, and paid at an hourly rate to be determined at the time of hiring. The hours worked in calendar year 2021 are not to exceed the budgeted amount in the 2021 budget. The Town will also file all paperwork required by the NYS Department of State necessary to operate as a security guard employer which requires a \$25 application fee for each guard when reporting employment.

Ayes: Loomis, Prentice, McKnight, and McBath. Naye: Hammond

Resolution #52

Motioned by: McBath

Seconded by: Loomis

RESOLVED, that the Town of Waddington will purchase a hand held magnetometer and uniform for use by the court security guard. The court security guard will be required to be uniformed while employed and working in that role. The Town will also create a job description and job duties for the court security guard. The Town will explore the necessary steps to be taken to deem the municipal building to be designated a "no weapons zone." Ayes: All

Congresswoman Stefanik: C Prentice reported that he had received an email from Congresswoman Stefanik's office stating that unfortunately our projects submitted will not be able to be funded through her office.

Active Shooter Training: Supt Putney reported that at the recent Hazmat Training he attended they asked if the Town had an active shooter protocol. He was not aware of any. In light of the recent shootings in the North Country it should be something to look at.

The Clerk reported that Safety Joe will be holding a Workplace Violence/Sexual Harassment mandatory training on June 14th @ 5PM in the Old Town Hall. If any of the board members have this training through their employment a current certificate will have to be submitted to the Town Clerk or they can attend the class as well.

Citizen's Comments:

Bonnie Sabatini, Library Manager asked the board if they had any suggestions concerning the little library project that she had discussed at the last meeting. They support the program and will further discuss what she will need as far as permits etc.

Bills: A motion was made by McKnight, seconded by Loomis to pay bills # 21-00259- 21-00331 in the amount of \$256,670.10. Ayes: All

Adjournment: A motion was made by Prentice, seconded by Loomis to adjourn the meeting @ 9:50PM. Ayes: All

Respectfully submitted,

Carol A. Burns, Town Clerk